

No. \_\_\_\_\_

IN THE COURT OF CRIMINAL APPEALS  
OF TEXAS, AT AUSTIN**Kevin Ratliff**

Appellant

FILED  
COURT OF CRIMINAL APPEALS  
7/3/2020  
DEANA WILLIAMSON, CLERK

v.

**The State of Texas**

Appellee

On Appeal In Case Number CR7557, from the 424th District Court of Llano County, the Hon. Evan C. Stubbs, Judge Presiding; and the Opinion of the Third Court of Appeals in Case No. 03-18-00569-CR, Delivered February 14, 2020.

**Unopposed Motion for Extension of Time to File  
Petition of Discretionary Review**

TO THE JUDGES OF THE COURT OF CRIMINAL APPEALS:

COME NOW, David A. Schulman, the undersigned attorney of record for Appellant, Kevin Ratliff, and respectfully files this “Unopposed Motion for Extension of Time to File Petition of Discretionary Review,” asking that the Court grant a forty-five (45) day extension of time in which to file a petition for discretionary review on Appellant’s behalf, and would show the Court as follows:

**Procedural History**

Appellant was charged by indictment with two counts of official oppression and with one count of tampering with a

governmental record. He was convicted of the two counts of official oppression and of the lesser misdemeanor offense of tampering with a governmental record. The trial court sentenced Appellant to six months' confinement in the county jail, suspended by a one-year term of community supervision for one year for all three offenses. The Court of Appeals opinion from which review is sought was delivered by the Third Court of Appeals on February 14, 2020. Motion for rehearing was denied on May 28, 2020, meaning Petition for discretionary review is timely if filed with the Clerk of the Court on or before Monday, June 29, 2020.<sup>1</sup>

### **Reason Extension Should Be Granted**

As with all attorneys, the undersigned has been impacted by the CV-19 situation and the “stay at home” orders issued by certain state and local agencies. Also as with most attorneys, the undersigned's workload dropped over the last three months. Within the past ten days, however, he has been retained in several new cases and his overall workload has increased. Because of the CV-19 situation and all staff working from home, the undersigned

---

<sup>1</sup> The actual due day being Saturday, June 27, 2020.

is already finding it more difficult to organize and move forward on new cases than prior to mid-March.

### **Prayer**

WHEREFORE, PREMISES CONSIDERED, Movant respectfully prays that this Honorable Court will grant Appellant a forty-five (45) day extension of time, until Tuesday, August 11, 2020, or such time as set by the Court, in which file a PDR on Appellant's behalf.

### **Certificate of Conference**

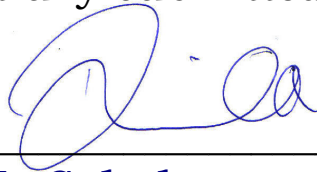
The undersigned has this day conferred with counsel of record for the State and the State's Prosecuting Attorney. He would report that neither office is opposed to this motion being granted.

### **Certificate of Compliance and Delivery**

This is to certify that: (1) this document, created using WordPerfect™ software, contains 472 words, excluding those items permitted by Rule 9.4 (i)(2)(B), Tex.R.App.Pro., and complies with Rules 9.4 (i)(2)(B) and 9.4 (i)(3), Tex.R.App.Pro.; and (2) on June 17, 2020, a true and correct copy of the above and foregoing

“Unopposed Motion for Extension of Time to File Petition of Discretionary Review” was transmitted via the eService function on the State’s eFiling portal, to R. Blake Ewing (bewing@burnetcountytexas.org), counsel of record for the State of Texas, and Stacey M. Soule (stacey.soule@SPA.texas.gov), the State’s Prosecuting Attorney.

Respectfully submitted,



---

**David A. Schulman**

Attorney at Law

1801 East 51st Street, Suite 365-474

Austin, Texas 78723

Tel. 512-474-4747

eMail: zdrdavid@daidschulman.com

State Bar Card No. 17833400

Attorney for Kevin Ratliff

### **Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Anne Boyde on behalf of David Schulman  
Bar No. 17833400  
officemanager@texasappeallawyers.com  
Envelope ID: 43804410  
Status as of 07/03/2020 09:22:53 AM -05:00

Associated Case Party: Kevin Ratliff

Name	BarNumber	Email	TimestampSubmitted	Status
David A.Schulman		zdrdavid@dauidschulman.com	6/17/2020 9:13:08 AM	SENT

Associated Case Party: The State of Texas

Name	BarNumber	Email	TimestampSubmitted	Status
Blake Ewing		bewing@burnetcountytexas.org	6/17/2020 9:13:08 AM	SENT
Stacey M.Soule		stacey.soule@SPA.texas.gov	6/17/2020 9:13:08 AM	SENT